

# **EXHIBIT 7**

**FILED UNDER SEAL**

**From:** Cole Richter <richter@ls3ip.com>  
**Sent:** Friday, December 16, 2022 4:57 PM  
**To:** Marc Kaplan  
**Cc:** QE-Sonos3; Sonos-NDCA06754-service  
**Subject:** RE: Sonos/Google -- NDCA2  
**Attachments:** EX. C - 10,469,966 - Supplemental Infringement Contention Chart [redline].pdf

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Marc,

Following up on the below. Additionally, attached is Sonos's proposed amendment to the '966 infringement chart.

Best,  
Cole

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**From:** Cole Richter  
**Sent:** Tuesday, December 13, 2022 9:43 AM  
**To:** Marc Kaplan <marckaplan@quinnemanuel.com>  
**Cc:** QE-Sonos3 <qe-sonos3@quinnemanuel.com>; Sonos-NDCA06754-service <Sonos-NDCA06754-service@orrick.com>  
**Subject:** RE: Sonos/Google -- NDCA2

Marc,

The amendment will incorporate the same theory that Dr. Almeroth has articulated in the paragraphs that address Google's "no standalone mode" alternative. Please let us know Google's position on Sonos amending the contentions to include the substance from these paragraphs.

Regarding our other requests, we understand that Google has produced a limited set of source code from Google's "new version of its source code." What is Google's basis for producing only what you refer to as "relevant multizone code" while withholding the remainder of the player-side and controller-side code? This is not consistent with prior productions, as Google has made available the player-side and controller-side code for its prior versions. Are the parties at an impasse with respect to Google's production of this code?

The firmware running on the Nest Audio and Nest Mini devices that we have available is 1.56.324896. Are the parties at an impasse with respect to Google producing test players running its "new version of its source code"?

You did not respond to our request for a knowledgeable witness. Are we at an impasse on this issue too?

Best,  
Cole

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**From:** Marc Kaplan <[marckaplan@quinnemanuel.com](mailto:marckaplan@quinnemanuel.com)>  
**Sent:** Wednesday, December 7, 2022 12:51 PM  
**To:** Cole Richter <[richter@ls3ip.com](mailto:richter@ls3ip.com)>  
**Cc:** QE-Sonos3 <[qe-sonos3@quinnemanuel.com](mailto:qe-sonos3@quinnemanuel.com)>; Sonos-NDCA06754-service <[Sonos-NDCA06754-service@orrick.com](mailto:Sonos-NDCA06754-service@orrick.com)>  
**Subject:** Re: Sonos/Google -- NDCA2

Cole,

Thank you for informing us that Sonos intends to move for leave to amend its infringement contentions for the '966 patent. It is not clear to us what you mean when you say that the substance of the amendments would be taken from the paragraphs of Dr. Almeroth's 11/30 report that address Google's non-infringing alternatives, so please send us a copy of Sonos's proposed amendment so that we can evaluate it.

With respect to your other email from Friday, you raised a few different but related issues. First, you made a request for further source code production, but Google has produced the relevant multizone code already and Sonos has inspected that code. Indeed, we produced the relevant code months ago during the Showdown portion of this case. Our production of multizone code is consistent with our prior productions in this case of the relevant code related to the accused grouping functionalities, so it is not clear why additional code production is now being requested. Second, you raised an issue regarding inspection devices. We understand that Sonos has been testing Nest Audio and Nest Mini devices for its expert reports in this case. Could you please send us the firmware versions running on those devices? It may be the case that they are already running the current version of deployed software.

Thank you,  
Marc

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**From:** Cole Richter <[richter@ls3ip.com](mailto:richter@ls3ip.com)>  
**Date:** Monday, December 5, 2022 at 4:30 PM  
**To:** Marc Kaplan <[marckaplan@quinnemanuel.com](mailto:marckaplan@quinnemanuel.com)>  
**Cc:** QE-Sonos3 <[ge-sonos3@quinnemanuel.com](mailto:ge-sonos3@quinnemanuel.com)>, Sonos-NDCA06754-service <[Sonos-NDCA06754-service@orrick.com](mailto:Sonos-NDCA06754-service@orrick.com)>  
**Subject:** Sonos/Google -- NDCA2

[EXTERNAL EMAIL from [richter@ls3ip.com](mailto:richter@ls3ip.com)]

Marc,

Sonos intends to move for leave to amend its infringement contentions for the '966 patent to allege that Google's "new version of its source code" meets the elements of the '966 Asserted Claims. The allegation would be based on Google's present description of how the "new version of its source code" operates, as set forth in, for example, Google's First Supplemental Response to Interrogatory No. 18 as it relates to Google's second purported non-infringing alternative referred to as "no standalone mode." The substance of the amendment would be taken from the paragraphs of Dr. Almeroth's 11/30 report that address Google's "no standalone mode" alternative.

Please let us know if Google is opposed or unopposed. If opposed, please let us know a time before Wednesday when we can confer.

For the avoidance of doubt, Sonos reserves the right to seek further leave to amend in view of additional discovery on Google's "new version of its source code."

Best,

**Cole B. Richter**



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